

Listing of Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently amended) A method of transmitting data packets from a transmitter to a receiver,

wherein an indicator is sent along with each data packet of the data packets;

wherein the indicator indicates whether the respective data packet is a new data packet or a re-sent data packet;

wherein, when the receiver receives a first data packet with an error, the receiver sends a negative confirmation (NACK) message to the transmitter; and

wherein, if the receiver subsequently decodes an error-free second data packet that was sent along with the indicator indicating that the second data packet is a new data packet, the receiver sends a revert (REV) confirmation message that acknowledges receipt of the second data packet and requests the transmitter to re-send the first data packet; and

wherein the REV confirmation message informs the receiver that a gap exists in a memory of the transmitter due to missing data packets.

2. (Previously presented) The method of claim 1, wherein, when the receiver receives an error-free data packet, the receiver sends an acknowledgement confirmation (ACK) message to the transmitter;

3. (Previously presented) The method of claim 1, wherein a third data packet without data is sent in response to the revert confirmation message.

4. (Previously presented) The method of claim 1, wherein a third data packet is sent in response to the revert confirmation message with one of: a part of data originally included in the first data packet, and all of the data originally included in the first data packet.

5. (Previously presented) The method of claim 1, wherein the transmitter ignores the revert confirmation message and sends a new third data packet.

6. (Original) The method of claim 1, wherein the indicator has a length of 1 bit.

7. (Original) The method of claim 1, wherein the method is an extension of the HARQ protocol in UMTS; and wherein the indicator is sent via the High Speed Shared Control Channel of UMTS.

8. (Currently amended) A system for transmitting data packets from a transmitter to a receiver, comprising

the transmitter and the receiver;

wherein the transmitter sends an indicator along with each data packet of the data packets;

wherein the indicator indicates whether the respective data packet is a new data packet or a re-sent data packet;

wherein, when the receiver decodes a first data packet with an error, the receiver sends a negative (NACK) confirmation message to the transmitter;

wherein, if the receiver decodes a second data packet without an error, which second data packet was sent along with the indicator which indicates that the second data packet is a new data packet after the receiver has sent the negative confirmation message with respect to the first data packet, the receiver sends a revert (REV) confirmation message to the transmitter; and

wherein the revert confirmation message requests the transmitter to re-send the first data packet; and

wherein the REV confirmation message informs the receiver that a gap exists in a memory of the transmitter due to missing data packets.

9. (Previously presented) The system of claim 8,

wherein the system is a UMTS mobile telecommunication system; and

wherein the indicator is sent via the High Speed Shared Control Channel of UMTS.

10. (Currently amended) A base station for a mobile radio communication system,

wherein the base station comprises a transmitter for transmitting data packets to a receiver of the mobile radio communication system;

wherein the transmitter is adapted to send an indicator along with each data packet of the data packets;

wherein the indicator indicates whether the respective data packet is a new data packet or a resent data packet; ~~and~~

wherein, when the transmitter decodes a revert (REV) confirmation message from the receiver that indicates that the receiver decoded a first data packet with an error and a second data packet without an error, which second data packet was sent along with the indicator indicating that the second data packet is a new data packet, the transmitter is adapted to re-send the first data packet; and

wherein the REV confirmation message informs the receiver that a gap exists in a memory of the transmitter due to missing data packets.

11. (Currently amended) A mobile subscriber station for a mobile radio communication system,

wherein the mobile subscriber station comprises a receiver for receiving data packets from a transmitter of the mobile radio communication system,

wherein the transmitter sends an indicator along with each data packet of the data packets;

wherein the indicator indicates whether the respective data packet is a new data packet or a re-sent data packet;

wherein, when the receiver decodes a first data packet with an error, the receiver is adapted to send a negative (NACK) confirmation message to the transmitter;

wherein, when the receiver decodes a second data packet without an error, which second data packet was sent along with the indicator indicating that the second data packet is a new data packet after the receiver has sent the negative confirmation message with respect to the first data packet, the receiver is adapted to send a revert (REV) confirmation message to the transmitter; and

wherein the revert confirmation message acknowledges receipt of the second data packet and requests the transmitter to re-send the first data packet; and

wherein the REV confirmation message informs the receiver that a gap exists in a memory of the transmitter due to missing data packets.

12. (Currently amended) A program that is stored on a computer readable medium encoded with computer executable instructions for controlling a transmission of data packets from a transmitter to a receiver of a mobile radio communication system,

wherein, when the computer program is executed, the computer program causes that:

the transmitter sends an indicator along with each data packet of the data packets;

wherein the indicator indicates whether the respective data packet is a new data packet or a re-sent data packet; ~~and~~;

when the transmitter decodes a revert (REV) confirmation message from the receiver that indicates that the receiver decoded a first data packet with an error and a second data packet without an error, the transmitter is adapted to re-send the first data packet; and

wherein the REV confirmation message informs the receiver that a gap exists in a memory of the transmitter due to missing data packets.

13. (Currently amended) A method comprising:

sending a negative (NACK) confirmation message from a receiver indicating to the transmitter that an immediately preceding data packet is to be resent, and

sending a revert (REV) confirmation message from the receiver if a subsequently received data packet includes an indicator that this received data packet is not a retransmission in response to the negative confirmation message,

wherein the revert confirmation message indicates to the transmitter that the received data packet has been received without error, and that the immediately preceding data packet before the received data packet is to be resent; and

wherein the REV confirmation message informs the receiver that a gap exists in a memory of the transmitter due to missing data packets.

14. (Previously presented) The method of claim 13, wherein the indicator indicates whether the received data packet is a newly transmitted data packet.

15. (Previously presented) The method of claim 13, including receiving another data packet at the receiver and sending an affirmative (ACK) confirmation message from the receiver if an error is not detected in the another data packet.

16. (Currently amended) A method comprising:

transmitting a data packet of a series of data packets from a transmitter to a receiver,

receiving a revert (REV) confirmation message from the receiver indicating that the data packet has been received satisfactorily at the receiver and that an immediately prior data packet in the series of data packets is to be retransmitted, ~~and~~

selectively transmitting the immediately prior data packet, and

wherein the REV confirmation message informs the receiver that a gap exists in a memory of the transmitter due to missing data packets.

17. (Previously presented) The method of claim 16, including selecting to transmit the immediately prior data packet based on a count of prior retransmissions of the immediately prior data packet.

18. (Previously presented) The method of claim 16, including selecting to transmit an empty data packet in response to the revert confirmation message.

19. (Previously presented) The method of claim 16, including receiving an affirmative (ACK) confirmation message and transmitting a next data packet of the series of data packets in response to the affirmative confirmation message.

20. (Previously presented) The method of claim 19, including receiving a negative (NACK) confirmation message and retransmitting the next data packet in response to the negative confirmation message.

21. (Currently amended) A system comprising at least one transmitter and at least one receiver, wherein each transmitter and receiver is configured to execute a protocol that includes three confirmation message types:

an affirmative confirmation (ACK) that signals to the transmitter that a most recently transmitted data packet has been received satisfactorily at the receiver;

a negative confirmation (NACK) that signals to the transmitter that the most recently transmitted data packet has not been received satisfactorily at the receiver; **and**

a revert confirmation (REV) that signals to the transmitter that the most recently transmitted data packet has been received and that an immediately prior transmitted data packet has not been received satisfactorily at the receiver; and

wherein the REV confirmation message informs the receiver that a gap exists in a memory of the transmitter due to missing data packets.